

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Susan D. Wigenton
v. : Crim. No. 10-742
EVANS SIMON, : ORDER FOR CONTINUANCE
a/k/a "Evan Simmonds"

This matter having come before the Court on the joint application of Paul J. Fishman, United States Attorney for the District of New Jersey (Lee M. Cortes, Jr., Assistant U.S. Attorney, appearing), and defendant Evans Simon (Carol Gillen, Esq., appearing), for an order granting a continuance of the proceedings in the above-captioned matter, and the defendant being aware that he has the right to have the matter brought to trial within 70 days of the date of his appearance before a judicial officer of this court pursuant to Title 18 of the United States Code, Section 3161(c)(1), and as the defendant has consented to such a continuance, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

(1) Plea negotiations are currently in progress, and both the United States and the defendant desire additional time to negotiate a plea agreement, which would render any grand jury proceedings and any subsequent trial of this matter unnecessary;

(2) As a result of the foregoing, pursuant to Title 18, United States Code, Section 3161(h)(7), the ends of justice served

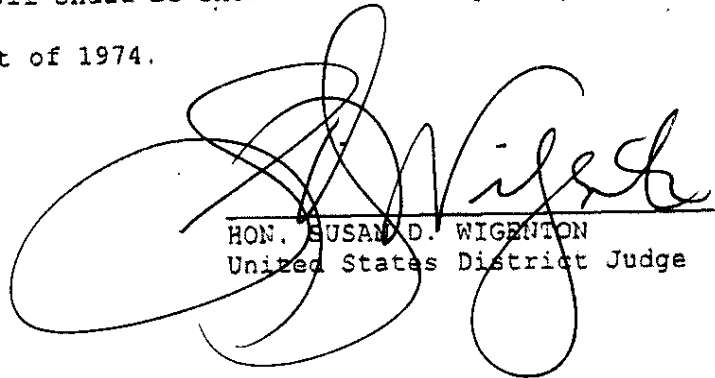
by granting the continuance outweigh the best interest of the public and the defendant in a speedy trial.

IT IS, therefore, on this 6th day of December 2010,

ORDERED that this action be, and hereby is, continued until March 15, 2011; and it is further


ORDERED that pretrial motions shall be filed by February 24, 2011, oppositions shall be filed by March 7, 2011, the argument of the motions, if any, is scheduled for March 14, 2011, and the trial is scheduled for March 15, 2011; and it is further

ORDERED that the period from the date of this order through March 15, 2011 shall be excludable in computing time under the Speedy Trial Act of 1974.

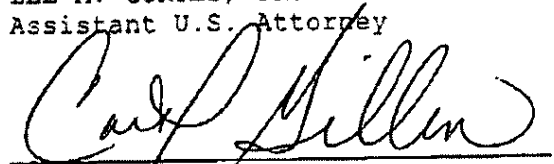


HON. SUSAN D. WIGENTON
United States District Judge

Form and entry
consented to:



LEE M. CORTES, JR.
Assistant U.S. Attorney



CAROL GILLEN
Counsel for defendant Evans Simon